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NOTE: CHANGES MADE BY THE COURT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PRL USA HOLDINGS, INC., a
Delaware Corporation,

Plaintiff,

v.

THAKSILAL NIROSHANA
KAHAWATTE dba TD Collections, an
individual and DOES 1-10, inclusive,

Defendants.

CASE NO. 2:22-cv-03355-ODW

**ORDER RE: STIPULATION TO
ENTRY OF PERMANENT
INJUNCTION AND VOLUNTARY
DISMISSAL WITH PREJUDICE TO
DEFENDANT THAKSILAL
NIROSHANA KAHAWATTE dba TD
COLLECTIONS**

Hon. Otis D. Wright, II

1 Upon consideration and having found good cause therein, the Court hereby
2 GRANTS Plaintiff PRL USA Holdings, Inc. (“Plaintiff” or “PRL”) and Defendant
3 Thaksilal Niroshana Kahawatte (“Defendant”) (together with Plaintiff, the “Parties”),
4 Stipulation to Entry of a Permanent Injunction against Defendant and Voluntary
5 Dismissal with Prejudice as to Defendant as follows:

6 **WHEREAS**, on May 18, 2022, Plaintiff filed its Complaint (Dkt. No. 1) in this
7 Action against Defendant.

8 **WHEREAS**, Plaintiff is the owner of a number of U.S. registered trademarks
9 covering various products it markets under its RALPH LAUREN and POLO brands,
10 including the trademarks identified by registration number and shown in ¶ 10 of
11 Plaintiff’s Complaint (Dkt. No. 1) as well as **Exhibit A** attached hereto (collectively
12 referred to in the Complaint and herein as the “RALPH LAUREN Trademarks”);

13 **WHEREAS**, Plaintiff’s Complaint asserted causes of action against Defendant
14 for Trademark Infringement and Counterfeiting under the Lanham Act, 15 U.S.C. §
15 1051, *et seq.*; False Designations of Origin and Unfair Competition in violation of 15
16 U.S.C. § 1125; and corresponding claims for Trademark Infringement and Unfair
17 Competition under the statutory and common of California, all arising from Defendant’s
18 manufacture, importation, distribution, marketing, advertisement, offering for sale,
19 and/or sale of certain products bearing unauthorized reproductions of one or more of
20 the RALPH LAUREN Trademarks (the “**Accused Products**”), an exemplar of which
21 is shown below:
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WHEREAS, the Parties have entered into a Settlement Agreement that resolves all causes of action asserted by the Complaint against Defendant;

WHEREAS, pursuant to the terms of the Settlement Agreement, Defendant agreed to, and the Parties HEREBY STIPULATE to entry of a Permanent Injunction and Voluntary Dismissal of Defendant as follows:

THEREFORE, it is **HEREBY ORDERED** that:

1. The Court has personal jurisdiction over Defendant and subject matter jurisdiction in this Action at least pursuant to 15 U.S.C. § 1121.
2. Entry of this Stipulation to Entry of a Permanent Injunction and Voluntary Dismissal with Prejudice shall serve to bind and obligate each of the Parties hereto.
3. Defendant, including all his agents, servants, successors and assigns, is permanently restrained and enjoined from directly and indirectly:
 - a. Manufacturing, importing, distributing, marketing, offering for sale, or selling Accused Products and/or products bearing any one or more of the RALPH LAUREN Trademarks or any mark confusingly similar to one or more of the RALPH LAUREN Trademarks;
 - b. Using any one or more of the RALPH LAUREN Trademarks in advertising, promoting, and/or marketing of Defendant's products

1 or committing any other act which represents that Defendant's
2 products are licensed, authorized, sponsored by, or in any way
3 associated with Plaintiff and/or Plaintiff's products; and

4 c. Engaging in any conduct in unfair competition with Plaintiff that
5 involves the use of RALPH LAUREN Trademarks, including acts
6 and practices that deceive consumers and/or the public.

7 4. Each Party shall bear its own attorneys' fees and costs associated with the
8 Action with neither Party deemed as the prevailing party.

9 5. The Court dismisses with prejudice Defendant Thaksilal Niroshana
10 Kahawatte and the above-entitled action.

11 6. The Court **VACATES** all dates and deadlines. The Clerk of the Court
12 shall close the case.

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14 **IT IS SO ORDERED.**



15
16 April 13, 2023




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20 **OTIS D. WRIGHT, II**
21 **UNITED STATES DISTRICT JUDGE**
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EXHIBIT A: Ralph Lauren Trademarks

U.S. Reg. Number	Trademark	Goods and Services
1,447,282	RALPH LAUREN	For: frames for prescription and non-prescription lenses and complete sunglasses in class 009.
1,469,151	RALPH LAUREN	For: men's, women's, and children's dress and athletic shoes in class 025.
1,624,989	RALPH LAUREN	For: clothing - namely, suits, slacks, trousers, shorts, wind resistant jackets, jackets, blazers, dress shirts, knit shirts, sweatshirts, sweaters, hats, belts, socks, blouses, skirts, coats and dresses in class 025.
1,835,393	RALPH LAUREN	For: jewelry in class 014.
1,976,324	RALPH LAUREN	For: clutches, shoulder bags, cosmetic bags, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, circular
1,972,538	RALPH LAUREN	For: jewelry in class 014.
2,207,011	RALPH LAUREN	For: intimate wear, namely, hosiery in class 025.
3,521,190	RALPH LAUREN	For: on-line retail store services featuring men's, women's and children's clothing, footwear, headgear, eyewear, handbags, backpacks, travel bags, wallets, athletic bags, jewelry, watches, sporting goods and accessories, fragrance, body lotions, home furnishing in the nature of bedsheets, duvet covers, comforters, blankets, pillows, towels, table cloths, dinnerware, picture frames in class 035.

U.S. Reg. Number	Trademark	Goods and Services
3,764,868	RALPH LAUREN	For: horological and chronometric instruments, namely, mechanical and automatic watches, wrist watches, diving watches, stop watches, pocket watches, watch fobs, jewelry watches; horological and chronometric fittings, namely, parts, faces, movements, casings, crowns, bands, straps, pouches, boxes, clasps, winders, winding buttons, dials, chains, cases, straps made of metal, leather and plastic in class 014.
5,400,546	RALPH LAUREN	For: cuff-links in class 014; silver money clips in class 016.
1,363,459	POLO	For: clothing-namely, suits, slacks, trousers, shorts, wind resistant jackets, jackets, blazers, dress shirts, sweatshirts, sweaters, hats, belts, socks, blouses, skirts, coats, and dresses in class 025.
1,446,173	POLO	For: frames for prescription and non-prescription lenses and complete sunglasses in class 009.
1,468,420	POLO	For: men's, women's, children's and athletic shoes in class 025.
3,684,457	POLO	For: metal belt buckles not of precious metal in class 026.
5,512,126	POLO	For: clutches, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, roll bags, sling bags, grooming kits sold empty, suit bags, tie cases, satchels, garment bags for travel, coin purses, drawstring pouches, overnight bags, wallets and

U.S. Reg. Number	Trademark	Goods and Services
		key cases in class 018.
1,951,601	POLO SPORT	For: wearing apparel, namely pants, shorts, jackets, t-shirts, sport shirts, knit shirts, sweatshirts, hats, socks and footwear in class 025.
5,507,568	POLO RALPH LAUREN	For: clutches, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, roll bags, sling bags, grooming kits sold empty, suit bags, tie cases, satchels, garment bags for travel, coin purses, drawstring pouches, overnight bags, wallets and key cases in class 018.
1,485,359		For: mens', womens', childrens' and athletic shoes in class 025.
2,052,315		For: clutches, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, roll bags, sling bags, grooming kits sold empty, suit bags, tie cases, satchels, pole bags, garment bags for travel, coin purses, drawstring pouches, overnight bags, wallets and key cases in class 018.
2,823,094		For: wearing apparel, namely, sweaters and t-shirts in class 025.

U.S. Reg. Number	Trademark	Goods and Services
3,199,839		For: wearing apparel, namely, jackets, sweatshirts, sweat pants, hats, scarves, jerseys, jeans, turtlenecks and bikinis in class 025.
3,812,741		For: a full line of clothing in class 025.
4,254,740		For: eyewear in class 009.
4,558,683		For: retail and on-line retail store services featuring men's, women's, and children's clothing, footwear, headwear, eyewear, leather goods, handbags, duffel bags, tote bags, luggage, briefcases, sporting goods and accessories, fragrances and personal care products, jewelry, watches, and home furnishings in class 035.
3,179,994	RL67	For: wearing apparel, namely, pants, jeans, shorts, skirts, dresses, suits, shirts, t-shirts, sweatshirts, blazers, ties, sweaters, stockings, socks, jackets, coats, gloves, hats, belts, scarves, undergarments, sleepwear, loungewear, swimwear and footwear